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224792

Facsimile Cover Sheet

Date	July 12, 2010
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From	Brandon A. Brown
Matter Number	947-001 "In re: EveryCall Communications, Inc." No. 10-11054, U.S.B.C., M.D.La.
Number of Pages (including cover)	6
Comments	Please see attached.
Original to Follow by Mail?	Yes _____ No <u>x</u>

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July 12, 2010

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Re: *"In re EveryCall Communications, Inc.,"* No. 10-11054, U.S.B.C., M.D.La.

All:

Please be advised that this firm has been engaged to represent EveryCall Communications, Inc. ("**EveryCall**") with regard to the filing and prosecution of a chapter 11 bankruptcy case. Please be further advised that on July 12, 2010, EveryCall filed a voluntary petition under chapter 11 of title 11, United States Code, in the United States Bankruptcy Court for the Middle District of Louisiana. Attached herewith is a receipt of filing issued by the Bankruptcy Court indicating the date and time of filing as well as case number.

EVERYCALL COMMUNICATIONS, INC.

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We are aware that AT&T (inclusive of all divisions and subsidiaries, "**AT&T**") has issued a Notice of Suspension and Termination dated June 18, 2010 (the "**Notice**"), which Notice indicates that AT&T intends to suspend EveryCall on or before July 6, 2010¹ and terminate the Interconnection Agreement between AT&T and EveryCall (the "**ICA**") on or before July 21, 2010. Please be advised that upon the commencement of a case under title 11, United States Code, a stay of certain actions statutorily issues pursuant to 11 U.S.C. § 362(a). Such stay prohibits, *inter alia*:

The commencement or continuation . . . of any judicial, administrative, or other action or proceeding against the debtor that was or could have been commenced before the commencement of a case under this title, or to recover a claim against the debtor that arose before the commencement of the case under this title; . . .

Any act to obtain possession of property of the estate or property from the estate or to exercise control over property of the estate; . . .

Any act to collect, assess, or recover a claim against the debtor that arose before the commencement of the case under this title. 11 U.S.C. § 362(a)(1), (3), (6).

Accordingly, the automatic stay prohibits AT&T from unilaterally Suspending, Discontinuing, or Terminating under ongoing contract, *i.e.*, the ICA, with EveryCall.

Should AT&T nonetheless violate the automatic stay by issuing a suspension of privileges pursuant to the ICA or outright terminate the ICA, EveryCall intends to proceed with requisite filings in the United States Bankruptcy Court for the Middle District of Louisiana to enforce the automatic stay, and such filings will request compensatory damages, punitive damages, and attorneys fees as may be available pursuant to 11 U.S.C. §§ 362, 105. We invite you to file whatever claim you deem appropriate with the bankruptcy court so that such claim may be resolved within these bankruptcy proceedings.

Should you have any questions, Please feel free to contact me.

Sincerely,

STEWART ROBBINS & BROWN, LLC

By: 

Brandon A. Brown, APLC

¹ It is our understanding that such Suspension deadline was subsequently extended until July 13, 2010 by correspondence from Patrick W. Turner, Esq. dated July 6, 2010.

EVERYCALL COMMUNICATIONS, INC.

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cc: Mr. John H. Brydels, Jr., Via Email: brydels@everycall.com
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The Honorable Mary W. Freeman, Via Fax: 615-532-4698
Ms. Jan Sanders, Via Fax: 501-682-1717
Mr. W. Lane Lanford, Via Fax: 512- 936-7036

United States Bankruptcy Court
Middle District of Louisiana

Notice of Bankruptcy Case Filing

A bankruptcy case concerning the debtor(s) listed below was filed under Chapter 11 of the United States Bankruptcy Code, entered on 07/12/2010 at 1:01 PM and filed on 07/12/2010.

EveryCall Communications, Inc.
4315 Bluebonnet Blvd., Ste. A
Baton Rouge, LA 70809
Tax ID / EIN: 15
dba
All American Home Phone
dba
Local USA



The case was filed by the debtor's attorney:

Brandon A. Brown
Stewart Robbins & Brown, LLC
247 Florida Street
P.O. Box 66498
Baton Rouge, LA 70896
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The case was assigned case number 10-11054.

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

If you would like to view the bankruptcy petition and other documents filed by the debtor, they are available at our *Internet* home page <http://ecf.lamb.uscourts.gov/> or at the Clerk's Office, 707 Florida Street Room 119 Baton Rouge, LA 70801.

You may be a creditor of the debtor. If so, you will receive an additional notice from the court setting forth important deadlines.

Monica M. Menier
Clerk, U.S. Bankruptcy
Court

PACER Service Center			
Transaction Receipt			
07/12/2010 13:03:29			
PACER Login:	sh3619	Client Code:	
Description:	Notice of Filing	Search Criteria:	10-11054
Billable Pages:	1	Cost:	0.08